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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

THE PEOPLE,

Plaintiff and Respondent,

v.

CHRISTIAN MORONES,

Defendant and Appellant.

B245343

(Los Angeles County
Super. Ct. No. NA 057522)

APPEAL from a judgment of the Superior Court of Los Angeles County, Jesus I. Rodriguez, Judge. Affirmed.

Peter Gold, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

* * * * *

This is Christian Morones's third appeal from his conviction of murder. In the first appeal, we reversed his first degree murder conviction and affirmed his conviction for robbery and burglary. (*People v. Gomez* (Oct. 30, 2006, B180504) [nonpub. opn.].) In the second appeal, we reduced the first degree murder conviction to second degree murder and otherwise affirmed. (*People v. Morones* (Feb. 9, 2012, B225231) [nonpub. opn.].) Morones now appeals his sentence following remand of the second appeal.

Morones's appointed counsel filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), raising no issues. Appellant was notified that he could file his own brief and has not done so. Finding no arguable issue, we affirm the judgment.

FACTS AND PROCEDURE

We have summarized extensively the facts and procedure in the prior two appeals. In this appeal, we summarize only the facts and procedure relevant to the current appeal.

In the first trial, appellant was convicted of first degree murder (Pen. Code,¹ § 187, subd. (a)), first degree residential robbery (§ 211) and first degree residential burglary (§ 459). (*People v. Morones, supra*, B225231.) Jurors also found that the robbery and burglary were committed to benefit a street gang (§ 186.22, subd. (b)(1)) and that Morones personally used a firearm (§ 12022.53, subd. (b).) (*People v. Morones, supra*, B225231.) As stated, we reversed the first degree murder conviction but otherwise affirmed.

On February 9, 2012, we issued an opinion reducing Morones's sentence from first to second degree murder and ordered the trial court to resentence Morones. (*People v. Morones, supra*, B225231.) On October 19, 2012, the trial court resentenced Morones as follows: For the first degree residential robbery with the gang allegation the court sentenced Morones to a prison term of 15 years to life and added an additional 10 years for the firearm use enhancement. The court sentenced Morones to a 15-year-to-life prison term for the second degree murder (§ 190, subd. (a)). The court stayed sentence on the burglary count pursuant to section 654.

¹ Undesignated statutory citations are to the Penal Code.

DISCUSSION

Having reviewed the entire record, we are satisfied that counsel has fully complied with his responsibilities and no arguable issue exists. (*People v. Kelly* (2006) 40 Cal.4th 106, 123–124; *Wende, supra*, 25 Cal.3d at p. 441.)

DISPOSITION

The judgment is affirmed.

FLIER, J.

WE CONCUR:

RUBIN, Acting P. J.

GRIMES, J.